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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO/OAKLAND DIVISION**

ARNOLD NAVARRO, *on behalf of himself and  
others similarly situated*

Plaintiff,

v.

SMILEDIRECTCLUB, INC.;  
SMILEDIRECTCLUB, LLC;  
JEFFREY SULITZER; DOES 1–10

Defendants.

**CASE NO. 3:22-CV-00095-WHO**

**DECLARATION OF MICHAEL D.  
MEUTI IN SUPPORT OF DEFENDANTS'  
MOTION TO COMPEL ARBITRATION**

**DECLARATION OF MICHAEL D. MEUTI:**

I, Michael D. Meuti, declare as follows:

1. I am a member in good standing of the State Bar of California, a member in good standing of the bar of this Court, and a partner at Benesch, Friedlander, Coplan & Aronoff, LLP, attorneys representing Defendants in the above-captioned case. I have personal knowledge of the facts set forth herein, except where noted, and, if called to testify, could and would testify

**DECLARATION OF MICHAEL D. MEUTI IN SUPPORT OF DEFENDANTS' MOTION TO COMPEL  
ARBITRATION**

Case No. 3:22-cv-00095-WHO

1 competently thereto.

2       2.       On May 6, 2022, I accessed SmileDirectClub's current aligner-kit checkout page at  
3 [https:// https://smiledirectclub.com/checkout/](https://smiledirectclub.com/checkout/) That URL represents the first page of SDC's checkout  
4 page, as depicted in Exhibit 1 to the Supplemental Skinner Declaration. I used the Microsoft Edge  
5 browser on a laptop computer to access that URL and all other websites identified in this  
6 Declaration.

7       3.       On the same day, I also accessed the Wayback Machine, a website that archives  
8 certain internet webpages, at <https://web.archive.org>. I used the Wayback Machine's search  
9 function to search for archived pages of <https://smiledirectclub.com/checkout/> on or around April  
10 23, 2020.

11       4.       That search revealed archived pages of <https://smiledirectclub.com/checkout/> dated  
12 January 26, 2020, and June 18, 2020. Those were the two dates closest to April 23, 2020, that  
13 contained archived pages of <https://smiledirectclub.com/checkout/>.

14       5.       Exhibit 1 to this Declaration is a true and correct screen shot of the January 26, 2020,  
15 archive of <https://smiledirectclub.com/checkout/>, as contained in the Wayback Machine. I used the  
16 Windows Snipping Tool to take that screen shot and all other screen shots referenced in this  
17 Declaration.

18       6.       Exhibit 2 to this Declaration consists of true and correct copies three screen shots of  
19 the January 26, 2020 archive of <https://smiledirectclub.com/checkout/>, as contained in the Wayback  
20 Machine—one for each column on that webpage. I took these additional screenshots to provide  
21 larger images of the text that appeared on the archived webpage than was possible in Exhibit 1, in  
22 light of page-size limitations.

23       7.       Exhibit 3 to this Declaration is a true and correct screen shot of the June 18, 2020  
24 archive of <https://smiledirectclub.com/checkout/>, as contained in the Wayback Machine.

25       8.       Exhibit 4 to this Declaration consists of true and correct copies three screen shots of  
26 the June 18, 2020 archive of <https://smiledirectclub.com/checkout/>, as contained in the Wayback  
27 Machine—one for each column on that webpage. As with Exhibit 2, I took these additional

1 screenshots to provide larger images of the text that appeared on the archived webpage than was  
2 possible in Exhibit 3, in light of page-size limitations.

3 9. When I accessed the January 26, 2020 and June 18, 2020 archived versions of  
4 <https://smiledirectclub.com/checkout/>, I was not able to progress through the checkout process, as  
5 the archived webpages lack the “Continue” button at the bottom of the first screen’s right-most  
6 column.

7 10. I tried to identify a specific URL for the checkout process’s second screen. When I  
8 progressed to the second screen on the currently “live” version of  
9 <https://smiledirectclub.com/checkout/>, my browser revealed the same URL as in the first screen,  
10 which prevents me from identifying archives of the second checkout screen in the Wayback  
11 Machine.

12  
13 I declare under penalty of perjury that the foregoing is true and correct.

14  
15 DATE: May 6, 2022

/s/Michael D. Meuti

Michael D. Meuti (SBN: 227939)